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GlaxoSmithKline

To Examiner Robert Zeman, Group 1645

Company USPTO

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Date November 15, 2002 Pages including cover 9

Subject Continued Prosecution Application

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PO Box 13398
Five Moore Drive
Research Triangle Park
North Carolina 27709Tel: 919 483 2100
www.gsk.com**FAX RECEIVED**

NOV 16 2002

GROUP 1600

OFFICIAL

Re: Continued Prosecution Application
Application of LENHARD et al.
U.S. Serial No.: 09/441,493; Filed: November 17, 1999
Examiner: Robert Zeman; Group Art: 1645
Title: *Infrared Thermography*
Attorney Docket No. PU3571

Attached:

1. Certificate of Transmission (37 CFR 1.8(a))
2. Continued Prosecution Application Request Transmittal (in duplicate)
3. Petition for Extension of Time (in duplicate)
4. Receipt for Facsimile Transmitted CPA

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U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

CONTINUED PROSECUTION APPLICATION (CPA)
REQUEST TRANSMITTALSubmit an original, and a duplicate for fee processing.
(Only for Continuation or divisional applications under 37 CFR 1.53(d))CHECK BOX IF APPLICABLE
 DUPLICATE

Address to:

Assistant Commissioner for Patents
Box CPA
Washington, DC 20231

Attorney Docket No. # of Prior Application	PU3571
First Named Inventor	James Martin EENHARD
Examiner Name	Zeman, Robert
Group Art Unit	1645
Express Mail Label No.	

This is a request for a continuation or divisional application under 37 CFR 1.53(d),
(continued prosecution application (CPA)) of prior application number 09 / 441,493
filed on 11/17/1999, entitled INFRARED THERMOGRAPHY.

NOTES

FILING QUALIFICATIONS: The prior application identified above must be a nonprovisional application that is either: (1) complete as defined by 37 CFR 1.51(b), or (2) the national stage of an international application in compliance with 35 U.S.C. 371. Effective May 29, 2000, a CPA may only be filed in a utility or a plant application if the prior nonprovisional application was filed before May 29, 2000. A CPA may be filed in a design application regardless of the filing date of the prior application. See "Request for Continued Examination Practice changes to end Provisional Application Practice," Final Rule, 65 Fed. Reg. 50092 (Aug. 16, 2000); Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office (Apr. 11, 2000).

C-I-P NOT PERMITTED: A continuation-in-part application cannot be filed as a CPA under 37 CFR 1.53(d), but must be filed under 37 CFR 1.53(b).

EXPRESS ABANDONMENT OF PRIOR APPLICATION: The filing of this CPA is a request to expressly abandon the prior application as of the filing date of the request for a CPA. 37 CFR 1.53(b) must be used to file a continuation, divisional, or continuation-in-part of an application that is not to be abandoned.

ACCESS TO PRIOR APPLICATION: The filing of this CPA will be construed to include a waiver of confidentiality by the applicant under 35 U.S.C. 122 to the extent that any member of the public who is entitled under the provisions of 37 CFR 1.14 to access to, copies of, or information concerning, the prior application may be given similar access to, copies of, or similar information concerning, the other application or applications in the file jacket.

35 U.S.C. 120 STATEMENT: In a CPA, no reference to the prior application is needed in the first sentence of the specification and none should be submitted. If a sentence referencing the prior application is submitted, it will not be entered. A request for a CPA is the specific reference required by 35 U.S.C. 120 and to every application assigned the application number identified in such request, 37 CFR 1.78(a).

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

1. Enter the unentered amendment previously filed on _____ under 37 CFR 1.116 in the prior nonprovisional application.
2. A preliminary amendment is enclosed.
3. This application is filed by fewer than all the inventors named in the prior application, 37 CFR 1.53(d)(4).
 - a. **DELETE** the following inventor(s) named in the prior nonprovisional application:
 - b. The inventor(s) to be deleted are set forth on a separate sheet attached hereto.
4. A new power of attorney or authorization of agent (PTO/SB/81) is enclosed.
5. Information Disclosure Statement (IDS) is enclosed:
 - a. PTO-1449
 - b. Copies of IDS Citations

[Page 1 of 2]

Burden Hour Statement: This form is estimated to take 0.4 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box CPA, Washington, DC 20231.

11/20/2002 11:35:00 00000001 071392 09441493
Received from 199.483.798.88 at 11/15/02 12:00:53 PM [Eastern Standard Time]
920.00 CH
01 FC:1253 02 FC:1006

NOV. 15, 2002 1:36PM

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CLAIMS	(1) FOR	(2) NUMBER FILED	(3) NUMBER EXTRA	(4) RATE	(5) CALCULATIONS
TOTAL CLAIMS (37 CFR 1.16(c) or (i))	16 -20*-	0	x \$ 18	\$ 18	\$ 0.00
INDEPENDENT CLAIMS (37 CFR 1.16(b) or (i))	4 -3*-	1	x \$ 84	\$ 84	\$ 84.00
MULTIPLE DEPENDENT CLAIMS (if applicable) (37 CFR 1.16(d))	□	+ 5 -0			\$ 0.00
			BASIC FEE (37 CFR 1.16)		\$ 740.00
			Total of above Calculations =		\$ 824.00
Reduction by 50% for filing by small entity (Note 37 CFR 1.27)	<input type="checkbox"/>				\$ 0.00
* Relocate claims in excess of 20 and over original patent.					
** Relocate independent claims over original patent.			TOTAL =		\$ 824.00

6. Small entity status: Applicant claims small entity status. See 37 CFR 1.27.
7. The Commissioner is hereby authorized to credit overpayments or charge the following fees to Deposit Account No. 07-1392
 - a. Fees required under 37 CFR 1.16.
 - b. Fees required under 37 CFR 1.17.
 - c. Fees required under 37 CFR 1.18.
8. A check in the amount of \$ _____ is enclosed.
9. Payment by credit card. Form PTO-2038 is attached.
10. Applicant requests suspension of action under 37 CFR 1.103(b) for a period of _____ months (not to exceed 3 months) and the fee under 37 CFR 1.17(l) is enclosed.
11. New Attorney Docket Number, if desired
(Prior application Attorney Docket Number will carryover to this CPA unless a new Attorney Docket Number has been provided herein.)
12. a. Receipt For Facsimile Transmitted CPA (PTO/SB/29A)
 - b. Return Receipt Postcard (Should be specifically itemized; See MPEP 503)
13. Other: Petition and Fee for Extension of Time

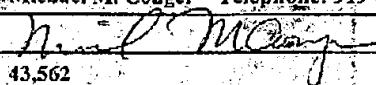
NOTE: The prior application's correspondence address will carry over to this CPA
UNLESS a new correspondence address is provided below.

14. NEW CORRESPONDENCE ADDRESS

<input type="checkbox"/> Customer Number or Bar Code Label		or	<input type="checkbox"/> New correspondence address below <i>(Insert Customer Number or attach bar code label here)</i>
Name			
PATENT TRADEMARK OFFICE			
Address			
City	State	Zip Code	
Country	Telephone	Fax	

15. SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print/Type)	Michael M. Conger	Telephone: 919-483-2474
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Signature	
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Registration No. (Attorney/Agent)	43,562
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Date	November 15, 2002
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[Page 2 of 2]

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PTO/SB/28A (08-00)

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If this RECEIPT is included with a request for a CPA filed by facsimile transmission, it will be date stamped and mailed to the ADDRESS in Item 1.

1: ADDRESS

Applicant's Mailing Address for this receipt must be
CLEARLY PRINTED or TYPED in the box below.

David J. Levy
Corporate-Intellectual Property Law
GlaxoSmithKline
Five Moore Drive
PO Box 13398
Durham, NC 27709-3398

RECEIPT
FOR
FACSIMILE TRANSMISSION
CPA

(For electronic transmission, check box for
e-Transmission. Check box for
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NOTE: By this receipt, the USPTO (a) acknowledges that a request for a CPA was filed by facsimile transmission on the date stamped below by the USPTO and (b) verifies only that the application number provided by the applicant on this receipt is the same as the application number provided on the accompanying request for a CPA. This receipt CANNOT be used to acknowledge receipt of any paper(s) other than the request for a CPA.

2. APPLICATION IDENTIFICATION:

(Provide at least enough information to identify the application)

a. For prior application

Application No.:	09/441,493
Filing Date:	11/17/1999
Title:	INFRARED THERMOGRAPHY
Attorney Docket No.:	PU3571
First Named Inventor:	James Martin LENHARD



23347

PATENT TRADEMARK OFFICE

b. For instant CPA application

New Attorney Docket No.:

(If applicable)

The USPTO date stamp, which appears in the box to the right, is an acknowledgement by the USPTO of receipt of a request for a CPA filed by facsimile transmission on the date indicated below.

(THIS AREA FOR PTO DATE STAMP USE)

USPTO HANDLING INSTRUCTIONS:
Please stamp area to the right with the date the complete transmission of the request for a CPA was received in the USPTO and also include the USPTO organization name that provided the date stamp (stamp may include both items). Verify that the application number provided by applicant on this receipt is the same as the application number provided by applicant on the request for a CPA accompanying this receipt. If there is an inconsistency between the application number provided on this receipt and the request for a CPA, strike through the inconsistent application number provided on this receipt and insert the correct application number, if possible. Then place in a window envelope.

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NO. 6598 SP. 2

CERTIFICATE OF TRANSMISSION BY FAXSIMILE (37 CFR 1.8)

Applicant(s): James Martin LENHARD et al.

Docket No.

PU3571

Serial No.
09/441,493

Filing Date
11/17/1999

Examiner
Zeman, Robert

Group Art Unit
1645

Invention: INFRARED THERMOGRAPHY

I hereby certify that this Continued Prosecution Application under 37 CFR 1.53(d) and accompanying documents
(Identify type of correspondence)
is being facsimile transmitted to the United States Patent and Trademark Office (Fax. No. (703) 872-9306)

on November 15 2002
(Date)

Marjorie J. Pfeiffer
(Typed or Printed Name of Person Signing Certificate)

Marjorie J. Pfeiffer
(Signature)

Note: Each paper must have its own certificate of mailing.